

Paving Contracts
Comments by Mike Mullin (Pike Industries) and Tim Rice (Wilk Paving)
Discussion at the Orange and Windsor County Road Foreman Meeting on October 20, 2015
at Ludlow Public Safety Building

Notes by Katharine Otto, Southern Windsor County Regional Planning Commission

Comments by Ted Domey, VTrans Technical Services Pavement Manager, are included at the bottom of each page. (Ted did not attend the meeting but instead gave comments by email August 2016)

These notes are intended as a brief summary of what was discussed at the road foreman meeting.

If you have any questions about contracts, you or your selectboard can contact

- your local paving company sales representative,
- your VTrans District Tech, or
- Ted Domey (ted.domey@vermont.gov, 802-595-2513)

Resources to check out from VTrans – contact Ted Domey with any questions about them

- Paving Check List
- Template Paving Bid Form
- Template Paving Requests for Bids
- Template Paving Scope of Work
- Class 2 Paving Guidance

Pre-bid meeting

- Can be helpful
- Individually or all together¹
- Protects fair bidding process
- Contractors can pick up on what you miss
- Bidders hear the same info regarding project details
- Email follow up questions

Bid docs/ ride-alongs/ Everything else before contractor is selected

- Pre-qualify prospective bidders – VTrans approved facilities, prior work history, tack coat, equipment, etc
- Lots of towns call in winter. Mid March is when things really get rolling²
- Let bids as early as possible after budgets are approved – better pricing and reduces scheduling conflicts
- Have clear and concise bid specifications – creates more competitive pricing (“apples to apples” for all contractors. i.e. Scope of work, mix types and thicknesses, RAP content, sideroad/ driveway aprons, traffic control and signage, incidentals, etc.
- Have public bid openings/ contract awards – during regular business hours if possible
- Multi-town bids
 - o If you do it together you get an average price – but different locations need different quality paving
 - o Often do not save on mobilizing since locations of paving projects are so far apart
 - o Only time they can be beneficial is when a single road crosses a jurisdictional boundary

Should always have a written document/ agreement with the contractor. The written document should include:

- Start and stop date. Helps both the town and contractor with scheduling

Comments from Ted Domey

¹ Pre-bid meetings should have all contractors present at the same time. Pre- bid meetings should be recommended but not mandatory unless project is complicated.

² All projects should be out on the street by April 1.

- October 15 is the usual end date. Everything else is weather dependent (40F or 50F and rising, depending on material)
- Don't do lump sum contracts³ (eg \$60 per ton)
 - Specify depth, width and expected tons
 - Can include a not-to-exceed amount.
 - If an estimated project total price is desired then all unit prices must be extended by pre-determined estimated quantities state on a bid form.
- Allow asphalt price adjustment⁴ – don't speculate!
 - This allows for a more fair bid. If you lock in it encourages over-pricing
- Specify the mix types. Do you want base?
- Emulsion is key.
 - Contractors say 0.025 – 0.03 gallons per square yard. VTrans says 0.04gal/SY⁵
 - Helps bond. Will fill some hairline cracks
- All incidentals – Sweeping, certified traffic control, emulsion, etc
- At least two rollers. Rubber tire rollers on shim are good to spec

Other things to consider

- Intersections always take more than you expect, but the sales person should be able to give you a good estimate
- Testing – State does checks, contractor does checks, Towns often don't. Towns could do it, but not that effective and adds costs⁶.

Upcoming things to be aware of:

- Recycled motor oils (known as REOB)
 - Additive in liquid binder
 - Has been in Canada a few years
 - Is not an approved additive in Vermont for Hot Mix Asphalt (HMA) at this time so it should not be an option for towns as it should not be in the producers facility.
- Recycled Asphalt Pavement (RAP)
 - Will you allow them to be mixed in? Vermont has been using RAP since around 1996
 - The State allows a binder grade of PG58-28 for up to and including 20% RAP. Mix designs with 20+ to 24.99% require a PG52-34 and designs with 25% or more RAP require the supplier to determine grade of binder so final binder grades to a PG58-28.
- Recycled shingles are starting to arrive⁷
- Latex/ rubber in liquids are coming

³ The bid documents will ask for a price per ton in place. Lump sums don't work well for the Town when it comes to paving.

Comments from Ted Domey

⁴ Asphalt price adjustment - True it should be in the contract but It also allows a contractor to flex schedule your paving project as what was promised in June may become September because the risk of the liquid price is now on the Town. This can be rectified by inserting a completion date of July 30 if project is let in early April.

⁵ Emulsion - This should be 0.04gal/SY

⁶ Testing - Every Town has a revolving fund with their District. Testing of box samples can be done at the Materials Lab. Bid documents ask for certified test results from the contractor.

⁷ VTrans uses it in shoulder gravel and gravel surfaces only at this time. Have yet to use it in a Hot Mix Asphalt. The State has a design process for adding recycled materials in hot mix and if this is proposed than I would suggest asking the State to verify the design so you are actually getting a quality hot mix material and not just some hot mix with a waste stream of shingles in it.